

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE PATENT : David SCHMIDT  
APPLICATION OF :  
SERIAL NO. : 10/669,596  
FILING DATE : September 25, 2003  
ART UNIT : 1611  
EXAMINER : ISIS A. D. GHALI  
FOR : BIOMOLECULAR WEARABLE DEVICE

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**REQUEST TO WITHDRAW APPEAL**

**Mail Stop Appeal Brief - Patents**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.34, appellants hereby request that the appeal taken in the above-captioned application be withdrawn in lieu of the Continuation filed concurrently herewith. An oral hearing in the appeal is scheduled for November 2, 2010.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Date: October 29, 2010

Respectfully submitted,

By: /Patrick A. Doody/  
Patrick A. Doody  
Reg. No. 35,022

**Customer No. 00909**

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